

Dec 09 05 12:26p

Phil

303-776-0489 RECEIVED P.1

CENTRAL FAX CENTER

PAGE 1 OF 18

DEC 09 2005

GPO:2005/08/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0037

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **18**

Application Number

**101808,500**

Filing Date

**03/25/2004**

First Named Inventor

**Roy W. MATTISON JR**

Art Unit

**1724**

Examiner Name

**JOHN PRINCE****AM 490**

Attorney Docket Number

**ENCLOSURES (Check all that apply)**

- Fee Transmittal Form  
 Fee Attached
- Amendment/Reply  
 After Final  
 Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application  
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

Remarks

- After Allowance Communication to TC  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):

*COPY OF MISSING PARTS  
ART REQUESTED BY  
EXAMINER -*

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

*VIA*

Signature

*Roy W. Mattison Jr.*

Printed name

*Roy W. Mattison Jr.*

Date

*02/09/2005*

Reg. No.

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Roy W. Mattison Jr.*

Typed or printed name

*Roy W. Mattison Jr.*

Date

*02/09/2005*

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

DEC 09 2005

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mattson et al.

Serial No.: 10/808,500

Filed: 03/25/2004

For:

Water Purification Device

Group Art Unit: 1724

Examiner: Fred Prince

Attorney Docket: RM490

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL REJECTION**

Dear Sir,

Applicants filed the instant patent application pro se and appreciates the Examiner for his suggestions in the Non-Final Rejection.

1. The Examiner states that the numbering of claims is not in accordance with 37 CFR 1,126 which requires the original numbering of the claims to be preserved throughout prosecution. Applicants have included the original numbering and have made the suggested corrections of the Examiner. Applicants have renumbered claims 26-28 as 26-29. Claim 27 now depends from claim 26.
3. Claim 28 now depends from claim 26.
4. Claim 28 now depends from claim 27.
5. The Examiner stated that the information disclosure statement filed March 25, 2004 and June 25, 2004 failed to comply with 37 CFR 1.98(a) (2) which requires a legible copy of each foreign reference. Applicants inadvertently supplied Japanese and German prior art patent numbers filed for another one of applicant's applications that were related to a filter. These references are not relevant to the instant invention, "an ion purification device". Examiner noted that 10/459,668 did not match the inventor. Applicant's apologies. The '668 was written to mean '665, thus 10/459,665 is shown to have inventor Craig Solver. Applicant's have supplied the attached non-patent IDS entitled Almost Heaven Ionizer, 9 pages, from Website <http://www.almostheaven.net/aho/ionizers.htm>, revisited 12/06/2005. This is thought to be prior art. Unknown date. Applicants do not

/

remember the which 9 pages of photographs Entitled, Photographs of Mattson Prototype taken by Roy Mattson that was supposed to be submitted on the IDS. Applicants understand that these do not need to be submitted, as they are not prior art to the instant invention. They were photographs of some prototypes on the instant invention.

6. Examiner sighted a 35 USC 112 rejection, applicants have amended the claims.
7. Examiner signed that claims 15-29 are rejected under 35 U.S.C. 112, second paragraph. Applicants have amended the claims.
8. Examiner stated that claim 15 recites the limitation "the tub" and applicants have amended the claim to read "a whirlpool bathtub" per Examiners suggestion.
9. Examiner stated that there is no antecedent basis in claim 15 for "the whirlpool bath". Applicants have amended to remove "the whirlpool bath".
10. Examiner stated that there is no antecedent basis in claim 15 for "the water pump". Applicants have amended the claim to read "a water pump" per Examiners suggestion.
11. Examiner stated that there is no antecedent basis in claim 20 for "the faceplate screen". Applicants have amended the claim to read "housing".
12. Examiner stated that there is no antecedent basis in claim 23 for "the tub". Applicants have amended the claim to read "a whirlpool bathtub" per Examiners suggestion.
13. Examiner states in claim 26 that there is no antecedent basis for "the whirlpool bathtub". Applicants have amended the claim to remove "the whirlpool bathtub".
14. Examiner states in claim 23 there is no antecedent basis for "the water pump". Applicants have amended the claim to read "a water pump" per Examiners suggestion.
15. Examiner states in claim 26 there is no antecedent basis for "the tub". Applicants have amended the claim to read "a whirlpool bathtub" per Examiners suggestion.
16. Examiner states in claim 26 there is no antecedent basis for "the whirlpool bathtub". Applicants have amended the claim to remove "the whirlpool bathtub".
17. Examiner states in claim 26 there is no antecedent basis for "the water pump". Applicants have amended the claim to read "a water pump" per Examiners

2

suggestion. Claims 16-19,21-22,24-25, and 26-28 were rejected for depending from rejected claims. The independent claims have been amended as stated above. The reference IDS non-patent material was inadvertently supplied on this application from another one of applicants' patent application for a filter without an ion generator. Therefore, these IDS submissions are not deemed relevant to the instant application.

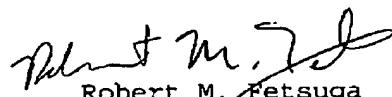
Application/Control Number: 10/979,406  
Art Unit: 3751

Page 7

analogous suction device which further includes a cavitation port 130. Therefore, in consideration of Higginbotham, it would have been obvious to one of ordinary skill in the suction device art to associate a cavitation port with the Perry suction device in order to facilitate obstruction removal.

11. Applicant is referred to MPEP 714.02 and 608.01(o) in responding to this Office action.

12. Any inquiry concerning this communication should be directed to Robert M. Fetsuga at telephone number 571/272-4886 who can be most easily reached Monday through Thursday.



Robert M. Fetsuga  
Primary Examiner  
Art Unit 3751